



**Service of Process
Transmittal**

09/03/2020

CT Log Number 538194506

TO: Kim Lundy Service Of Process
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served In Louisiana

FOR: WALMART INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: SUCCESSION OF TOMMIE SANDERS, Pltf. vs. WALMART, INC., Dft.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation, Petition, Verification

COURT/AGENCY: 28th Judicial District Court, Parish of LaSalle, LA
Case # 41883

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 08/24/2019

ON WHOM PROCESS WAS SERVED: C T Corporation System, Baton Rouge, LA

DATE AND HOUR OF SERVICE: By Process Server on 09/03/2020 at 09:00

JURISDICTION SERVED : Louisiana

APPEARANCE OR ANSWER DUE: Within 15 days after service

ATTORNEY(S) / SENDER(S): THOMAS WESLEY BURNS
P.O. Box 1345
Columbia, LA 71418
318-649-0403

ACTION ITEMS: CT has retained the current log, Retain Date: 09/03/2020, Expected Purge Date:
09/08/2020

Image SOP

Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 1999 Bryan St Ste 900
Dallas, TX 75201-3140

For Questions: 877-564-7529
MajorAccountTeam2@wolterskluwer.com

Page 1 of 1 / PK

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the validity of the claims, the amount of damages, the answer due, or the outcome of the case. The recipient is responsible for interpreting said documents and taking appropriate action. Signatures on documents are for confirm receipt of package only, not for legal purposes.



Parish of LaSalle
State of Louisiana
28th Judicial District Court

**SUCCESSION OF TOMMIE SANDERS
VS. NO 41883
WALMART, INC.**

CITATION

**TO: WALMART, INC.
THROUGH ITS REGISTERED AGENT
CT CORPORATION SYSTEM
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816**


You are hereby summoned to comply with the demand contained in the **PETITION FOR DAMAGES**, of which a certified copy accompanies the Citation, or to deliver your answer in writing to said petition, in the office of the Clerk of the Twenty-Eighth District Court, in and for the Parish of LaSalle which office is in the Town of Jena, said Parish and State, within 15 days after the service hereof. Your failure to comply herewith will subject you to the penalty of default judgment against you.

Witness the Honorable J. CHRISTOPHER PETERS Judge of said Court, this the August 21, 2020.

S/ TERRY KNAPP

Deputy Clerk, LaSalle Parish, Louisiana

Requested by:
THOMAS WESLEY BURNS
PO BOX 1345
COLUMBIA, LA 71418

ATTEST A TRUE COPY

Dy. Clerk of Court & Ex-Officio Recorder
LaSalle Parish, LA

DOCKET NO. 44883
FILED:

2020 AUG 20 PM 3:30

BY: Deery Knapp
CLERK OF COURT
LASALLE PARISH, LA

STATE OF LOUISIANA * PARISH OF LASALLE * 28TH JUDICIAL DISTRICT COURT

SUCCESSION OF TOMMIE SANDERS

FILED: _____

VS. NO. _____

WALMART, INC.,

BY: _____

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through the undersigned counsel comes TERRY SANDERS, duly appointed by this Honorable Court as the Independent Administrator for the SUCCESSION OF TOMMIE SANDERS, being a person of the full age of majority and resident and domiciliary of LaSalle Parish, Louisiana, who respectfully represents:

1.

Made Defendant herein is WALMART, INC., foreign corporation, authorized to do business in the State of Louisiana, who may be served through C T Corporation System, 3867 Plaza Tower Drive, Baton Rouge, Louisiana, 70816, sometimes referred to as "Wal-Mart", and/or "Wal-Mart Stores", and/or "store".

2.

Upon information and belief, Defendant, WALMART, INC., owns, operates, and maintains the Wal-Mart store located at 3670 W. Oak, Jena, Louisiana, which is located in LaSalle Parish, Louisiana, hereinafter also sometimes referred to as "store", "the store", "Wal-Mart" and/or "the premises".

3.

On or about August 24, 2019, at or at approximately 11:30 a.m., at the Wal-Mart store located at 3670 W. Oak, Jena, LaSalle Parish, Louisiana, TOMMIE SANDERS, was present in the vestibule entering the said store when her foot became caught on a floormat that was situated on top of another floormat, causing your Plaintiff to fall abruptly to the ground striking her face.

4.

The accident referred to above, and the resulting injury and damages, were caused solely and proximately by the fault and negligence of WALMART, INC., which fault and negligence consisted of the following:

- a. In failing to use reasonable care to keep aisles, passageways and floors in a clean and safe condition;
- b. In failing to use reasonable care to keep the premises free of hazardous conditions;
- c. In failing to properly inspect the premises;
- d. In failing to establish proper procedures for cleaning, maintenance and/or inspection;
- e. In allowing floormats to be located and/or situated on the floor of the store in such a manner that created an unreasonable and foreseeable risk and hazard of injury to Plaintiff;
- f. In creating and/or having actual or constructive notice of the condition which caused Plaintiff's injury prior to its occurrence;
- g. Other acts of fault or negligence which will be proved at the trial of this matter after due discover is had herein.

5.

As a result of the accident, upon information and belief, TOMMIE SANDERS, sustained injuries including but not limited to, injury to her lip which required stitches, bruising and injury to several parts of Plaintiff's body, including:

- a. bruising, contusions and lacerations to her lip requiring 3 stitches;
- b. forehead bruising from direct contact with the store's floor;
- c. bruising of her right shoulder;
- d. bruising to her right breast area;
- e. contusions, bleeding and bruising of her left arm;
- f. contusions and bruising of her right arm;
- g. bruising and contusions of her right thigh area;
- h. bruising and contusions to both of her knees (which she had knee replacements in 2002)

6.

Since the date of the accident until her death, upon information and belief, TOMMIE SANDERS suffered headaches and neck pain.

7.

Further upon information and belief, in December, 2019, TOMMIE SANDERS began experiencing pain behind her knees and general fatigue, which ultimately resulted in the diagnosis of blood clots, to which, upon information and belief, required her to be hospitalized approximately five times.

8.

Upon information and belief, in March, 2020, TOMMIE SANDERS suffered a stroke as a result of the blood clots, and was then placed on hospice care at her home in LaSalle Parish, Louisiana.

9.

On April 16, 2020, TOMMIE SANDERS died as result of the stroke.

10.

Plaintiff contends, upon information and belief, that her death was a result of a stroke caused by blood clots which may have been caused from her fall at the Wal-Mart store premises on the date in question.

11.

Further, upon information and belief, as a result of the accident and injuries referred to above, TOMMIE SANDERS suffered pain, disability, medical expenses and mental anguish, and did continue to suffer such losses up until the time of her death.

12.

Plaintiff shows that TOMMIE SANDERS died on April 16, 2020. A Succession was opened, and an Order was issued by this Honorable Court naming TERRY SANDERS as the Independent Administrator of the SUCCESSION OF TOMMIE SANDERS, in the matter styled, Succession of Tommie Elaine Sanders and Jerry Sanders, bearing probate number 41878 of the 28th Judicial District Court, LaSalle Parish, Louisiana. Please refer to the record of those proceedings.

13.

Plaintiff further alleges, on information and belief, that under the terms of said policy or policies, ABC INSURANCE COMPANY obligated itself to pay any and all damages caused to others as a result of the intentional acts or negligence of

WALMART, INC., its employees, agents, or assigns, herein described and Defendant was covered by said policy or policies at the time of said injury.

14.

WALMART, INC. is therefore liable in solido unto Plaintiff for the damages and losses sustained by Plaintiff in said incident.

15.

Plaintiff herein is therefore entitled to damages for the items set forth above in such amounts as are reasonable in the premises. Plaintiff reserves the right to request that these matters be tried by a jury.

WHEREFORE, the SUCCESSION OF TOMMIE SANDERS PRAYS that copies of this Petition, together with citation, be issued and served according to law on the Defendants; that after the lapse of all legal delays and proceedings had, there be judgment in favor of SUCCESSION OF TOMMIE SANDERS and against WALMART, INC., in solido, in such amounts as are reasonable in the premises; for legal interest from the date of judicial demand on all amounts awarded; and for all costs of these proceedings; reserving the right to request that these matters be tried by a jury.

PLAINTIFF FURTHER PRAYS for full, general and equitable relief.

Respectfully submitted,



Thomas Wesley Burns
P. O. Box 1345
Columbia, LA 71418
(318) 649-0403
(318) 649-0406 fax
La. Bar Roll # 29114

PLEASE SERVE DEFENDANT:

WALMART, INC.
through its registered agent:
C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, LA 70816

VERIFICATION

STATE OF LOUISIANA

PARISH OF CALDWELL

BEFORE ME, the undersigned authority, personally came and appeared TERRY SANDERS, who being duly sworn, deposed:

That he is the Plaintiff in the above referenced matter; that he has read the petition and that all of the allegations of fact contained therein are true and correct to the best of his knowledge, information and belief.


TERRY SANDERS

SWORN TO AND SUBSCRIBED before me on this the 19th day of August, 2020, at Columbia, Louisiana.


NOTARY PUBLIC

Thomas Wesley Burns
Notary Public
LA Bar Roll #29114
My Commission Expires at Death

ATTEST A TRUE COPY

Dy. Clerk of Court & Ex-Officio Recorder
LaSalle Parish, LA